

1 CITY OF PALM BEACH GARDENS  
2 CITY COUNCIL  
3 REGULAR MEETING  
4 MARCH 3, 2011  
5

6 The regular meeting was called to order at 7:00 p.m. by Mayor Levy.

7 **I. PLEDGE OF ALLEGIANCE**

8 **II. ROLL CALL**

9 **PRESENT:** Mayor David Levy, Vice Mayor Robert Premuroso, Councilmember Joseph Russo,  
10 Councilmember Eric Jablin, Councilmember Marcie Tinsley.

11 **ABSENT:** None.

12 **III. ADDITIONS, DELETIONS, MODIFICATIONS**

13 **UNDER CONSENT**

14 **ADDITIONS:**

15 a. RECOMMENDING CHROMALLOY GAS TURBINE LLC, BE APPROVED AS A  
16 QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO 288.106 OF FLORIDA  
17 STATUTES.

18 **DELETIONS:** NONE

19 **MODIFICATIONS:** NONE

20 **Councilmember Jablin** made a motion to accept the addition.

21 **Councilmember Tinsley** seconded.

22 Motion passed 5-0.

23 **IV. ANNOUNCEMENTS AND PRESENTATIONS**

24 a. RECOGNITION OF SPONSORS.

25 **Mayor Levy** thanked the sponsors and presented plaques to Florida Weekly, Legacy Place and  
26 Downtown in the Gardens.

27 b. POLICE DEPARTMENT 4TH QUARTER 2010 REPORT.

28 **Chief of Police Stephen Stepp** presented the Police Department 4<sup>th</sup> Quarter 2010 Report.

29 c. 2010 AUDITORS REPORT.

30 **Finance Administrator Allan Owens** introduced **Deborah Diaz**, Principal, Rampell &  
31 Rampell, P.A. who presented the 2010 Auditors Report.

32 **V. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS**

33 **Councilmember Jablin** reported on attending the Honda Classic. **Vice Mayor Premuroso**  
34 thanked **Parks Director Mike Kelly** and his staff for their work in support of the Palm Beach  
35 Gardens Youth Athletic Association (PBGYAA) baseball opening day and recognized Pepsi for  
36 contributing to the "green monster" field scoreboard. **Councilmember Russo** reported attending  
37 girls' softball opening day; the Honda Classic dinner and former **Councilmember Lauren**  
38 **Furtado's** funeral and advised her family that a commemorative brick will be placed in  
39 Veteran's Plaza in her memory. **Councilmember Tinsley** reported attending both the softball  
40 and baseball opening days; attended Arti Gras; thanked staff for the Economic Development  
41 Program; reminded everyone to vote on March 8, 2011; thanked the Honda Classic for their  
42 continuing charitable support and announced upcoming events including: the Gardens Games,  
43 Grillin' in the Gardens and Dancing Under the Stars. **Mayor Levy** reported attending a League  
44 of Cities meeting, was a judge at Boy Scout Troop 152's antique car show and introduced 2010-  
45 2011 Florida Shriners Association President Michael Snitkin who announced the May 2011  
46 Shriners Convention being held in Palm Beach Gardens.

47 **VI. CITY MANAGER REPORT**

1 **City Manager Ferris** announced a special meeting of the City Council to be held on March 22,  
2 2011 at 5:30 p.m. should Resolution 15, 2011 and Ordinance 6, 2011 pass. **City Manager**  
3 **Ferris** introduced **Tom DeRita** who gave a legislative update.

4 **VII. COMMENTS FROM THE PUBLIC**

5 **Phil Woodall**, 13 Dorchester Circle, Palm Beach Gardens; **Roger Blangy**, 11658 Hemlock  
6 Street, Palm Beach Gardens; **John Chaplik**, 715 Hudson Bay Drive, Palm Beach Gardens.

7 **VIII. CONSENT AGENDA**

8 a. APPROVE MINUTES FROM FEBRUARY 3, 2011 CITY COUNCIL MEETING.

9 b. **RESOLUTION 11, 2011 - CONTRACT AWARD TO TROXELL COMMUNICATIONS,**  
10 **INC.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH  
11 GARDENS, FLORIDA AWARING A CONTRACT TO TROXELL COMMUNICATIONS,  
12 INC. FOR AUDIO VISUAL EQUIPMENT FOR THE EMERGENCY OPERATIONS AND  
13 COMMUNICATIONS CENTER BASED ON BIDS RECEIVED VIA INVITATION TO BID  
14 NO. 2011-003; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT;  
15 PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

16 c. **RESOLUTION 14, 2011 – CITY CANVASSING BOARD.** A RESOLUTION OF THE  
17 CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPOINTING  
18 THE SUPERVISOR OF ELECTIONS, OR DESIGNEE, AS AN ADDITIONAL MEMBER OF  
19 THE CITY OF PALM BEACH GARDENS CANVASSING BOARD; REQUESTING THE  
20 SUPERVISOR OF ELECTIONS, OR DESIGNEE, TO CANVASS ALL ABSENTEE  
21 BALLOTS; TO CANVASS THE MUNICIPAL ELECTION, ALONG WITH THE CITY’S  
22 CANVASSING BOARD, AND TO CONDUCT THE LOGIC AND ACCURACY TESTING  
23 FOR ALL ELECTION MACHINERY; REQUESTING THE SUPERVISOR OF ELECTIONS  
24 TO CONDUCT THE CITY’S MUNICIPAL ELECTION; AUTHORIZING THE CITY CLERK  
25 TO DO ALL THINGS NECESSARY TO OVERSEE THE GENERAL ELECTION AND RUN-  
26 OFF ELECTION, IF APPLICABLE; PROVIDING AN EFFECTIVE DATE; AND FOR  
27 OTHER PURPOSES.

28 d. **RESOLUTION 16, 2011 – OPPOSING THE OPEN CARRY GUN LAW.** A RESOLUTION  
29 OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA  
30 OPPOSING SENATE BILL 234 FOR THE BENEFIT OF THE HEALTH, SAFETY, AND  
31 WELFARE OF THE RESIDENTS OF THE CITY OF PALM BEACH GARDENS AND THE  
32 GENERAL PUBLIC; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

33 e. PROCLAMATION – NATIONAL PROBLEM GAMBLING AWARENESS WEEK.

34 f. **RESOLUTION 22, 2011 – RECOMMENDING CHROMALLOY GAS TURBINE LLC, BE**  
35 **APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO 288.106**  
36 **OF FLORIDA STATUTES.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
37 PALM BEACH GARDENS, FLORIDA REPEALING RESOLUTION 7, 2011 AND  
38 RECOMMENDING CHROMALLOY GAS TURBINE LLC BE APPROVED AS A  
39 QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106,  
40 FLORIDA STATUTES; PROVIDING FOR LOCAL FINANCIAL SUPPORT IN THE FORM  
41 OF \$36,400 FOR THE QUALIFIED TARGET INDUSTRY TAX REFUND WITH HIGH-  
42 IMPACT SECTOR BONUS; APPROVING A CITY ECONOMIC DEVELOPMENT GRANT  
43 TO CHROMALLOY GAS TURBINE LLC IN THE AMOUNT OF \$100,000 FOR A  
44 PROGRAM OTHERWISE REFERRED TO AS “PROJECT FOIL”; PROVIDING  
45 CONDITIONS OF APPROVAL FOR THE FUNDING OF THE GRANT; PROVIDING AN  
46 EFFECTIVE DATE; AND FOR OTHER PURPOSES.

47 **Councilmember Jablin** made a motion for approval of the Consent Agenda.

48 **Councilmember Tinsley** seconded.

1 Motion passed 5-0.

2 **IX. PUBLIC HEARINGS: (\*Designates Quasi-Judicial Hearing)**

3 The City Clerk read Ordinance 2, 2011 by title.

4 a. ORDINANCE 2, 2011 - (2nd READING AND ADOPTION) TEXT AMENDMENT TO  
5 THE CAPITAL IMPROVEMENTS ELEMENT (CIE). AN ORDINANCE OF THE CITY  
6 COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING AN  
7 AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE  
8 WITH THE MANDATES SET FORTH IN SECTIONS 163.3177 AND 163.3187, ET SEQ.,  
9 FLORIDA STATUTES, PURSUANT TO A CITY-INITIATED AMENDMENT WHICH  
10 PROVIDES FOR THE ANNUAL UPDATE TO THE FIVE-YEAR CAPITAL  
11 IMPROVEMENTS SCHEDULE WITHIN THE CAPITAL IMPROVEMENTS ELEMENT,  
12 INCLUDING REVISED TEXT NECESSARY TO UPDATE TABULAR DATA IN THE  
13 CAPITAL IMPROVEMENTS ELEMENT; PROVIDING THAT THE TEXT AND DATA, AS  
14 AMENDED OR REVISED, SHALL BE SUBSTITUTED FOR AND REPLACE THE  
15 EXISTING TEXT OR DATA IN THE CAPITAL IMPROVEMENTS ELEMENT;  
16 PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY;  
17 PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY  
18 TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

19 Mayor Levy opened the public hearing.

20 Presentation by: Director of Planning and Zoning Natalie Wong.

21 Public Comment: None.

22 Mayor Levy closed the public hearing.

23 Councilmember Jablin made a motion for approval of Ordinance 2, 2011 on second reading  
24 and adoption.

25 Councilmember Tinsley seconded.

26 Motion passed 5-0.

27 The City Clerk read Ordinance 3, 2011 by title.

28 b. ORDINANCE 3, 2011 – (2nd READING AND ADOPTION) AMENDING THE CITY’S  
29 LAND DEVELOPMENT REGULATIONS. AN ORDINANCE OF THE CITY COUNCIL OF  
30 THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND  
31 DEVELOPMENT. BY ADOPTING NEW SUBSECTION 78-49(e) IN ORDER TO CREATE  
32 EXEMPTIONS TO THE ARCHITECTURAL REVIEW REQUIREMENT PROCESS FOR  
33 MINOR ARCHITECTURAL MODIFICATIONS WITHIN PLANNED COMMUNITY  
34 DEVELOPMENTS (PCDs) AND ADOPT REGULATIONS PERTAINING TO PROCESSING  
35 EXEMPTION REQUESTS; PROVIDING THAT EACH AND EVERY OTHER SECTION  
36 AND SUBSECTION OF CHAPTER 78. LAND DEVELOPMENT. SHALL REMAIN IN  
37 FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS  
38 CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN  
39 EFFECTIVE DATE; AND FOR OTHER PURPOSES.

40 Mayor Levy opened the public hearing.

41 Presentation by: Director of Planning and Zoning Natalie Wong.

42 Public Comment: None.

43 Mayor Levy closed the public hearing.

44 Councilmember Jablin made a motion for approval of Ordinance 3, 2011 on second reading  
45 and adoption.

46 Councilmember Tinsley seconded.

47 Motion passed 5-0.

48 The City Clerk read Ordinance 5, 2011 by title.

1 c. ORDINANCE 5, 2011 – (1st READING) AMENDING THE CITY’S CODE OF  
2 ORDINANCES. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM  
3 BEACH GARDENS, FLORIDA AMENDING THE CITY’S CODE OF ORDINANCES AT  
4 CHAPTER 2. ADMINISTRATION. ARTICLE IV. CODE ENFORCEMENT; BY  
5 AMENDING THIS ARTICLE TO UPDATE LANGUAGE REGARDING THE CODE  
6 ENFORCEMENT SPECIAL MAGISTRATE IN CONFORMANCE WITH STATE  
7 STATUTES; TO REVISE REQUIREMENTS REGARDING WRITTEN STIPULATIONS  
8 FOR THE RESOLUTION OF CODE ENFORCEMENT VIOLATIONS; TO CLARIFY  
9 ADMINISTRATIVE FINES FOR REPEAT VIOLATIONS; AND TO PROVIDE GENERAL  
10 INTERNAL CONSISTENCY WITH CITY CODE; PROVIDING THAT EACH AND EVERY  
11 OTHER SECTION AND SUBSECTION OF CHAPTER 2. ADMINISTRATION. SHALL  
12 REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A  
13 CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY;  
14 PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

15 Mayor Levy opened the public hearing.

16 Presentation by: Public Works Operations Director David Reyes.

17 Public Comment: None.

18 Mayor Levy closed the public hearing.

19 Councilmember Jablin made a motion for approval of Ordinance 5, 2011 on first reading.

20 Councilmember Tinsley seconded.

21 Motion passed 5-0.

22 The City Clerk read Resolution 15, 2011 by title.

23 RESOLUTION 15, 2011 IS A COMPANION ITEM TO ORDINANCE 6, 2011 AND IS NOT  
24 PART OF THE PUBLIC HEARING:

25 d. RESOLUTION 15, 2011 - DISPATCH OPERATIONS CONSOLIDATED BUDGETS. A  
26 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,  
27 FLORIDA ESTABLISHING THE CONSOLIDATED BUDGET FOR THE NORTHERN  
28 MUNICIPAL REGIONAL COMMUNICATIONS CENTER FOR THE CITY OF PALM  
29 BEACH GARDENS, JUPITER, AND JUNO BEACH; PROVIDING AN EFFECTIVE DATE;  
30 AND FOR OTHER PURPOSES.

31 Mayor Levy opened the public hearing.

32 Presentation by: Colonel Ernest Carr.

33 Public Comment: None.

34 Mayor Levy closed the public hearing.

35 Councilmember Jablin made a motion for approval of Resolution 15, 2011.

36 Councilmember Tinsley seconded.

37 Motion passed 5-0.

38 The City Clerk read Ordinance 6, 2011.

39 e. ORDINANCE 6, 2011 – (1st READING) AMENDING THE FISCAL YEAR 2010/2011  
40 BUDGET. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH  
41 GARDENS, FLORIDA AMENDING THE FISCAL YEAR 2010/2011 BUDGET TO  
42 ESTABLISH THE NORTHERN MUNICIPAL REGIONAL COMMUNICATIONS CENTER;  
43 PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING  
44 AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

45 Mayor Levy opened the public hearing.

46 Presentation by: Finance Administrator Allan Owens.

47 Public Comment: None.

48 Mayor Levy closed the public hearing.

1 **Councilmember Jablin** made a motion for approval of Ordinance 6, 2011 on first reading.

2 **Councilmember Tinsley** seconded.

3 Motion passed 5-0.

4 **X. RESOLUTIONS**

5 **Vice Mayor Premuroso** recused himself, left the dais and filled out Form 8B.

6 The City Clerk read Resolution 9, 2011 by title.

7 a. **RESOLUTION 9, 2011 – CONTRACT AWARD TO MUSCO SPORTS LIGHTING, LLC.**

8 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,  
9 FLORIDA APPROVING A CONTRACT AWARD TO MUSCO SPORTS LIGHTING, LLC  
10 FOR THE PURCHASE AND INSTALLATION OF SPORTS LIGHTING AT LILAC PARK  
11 IN AN AMOUNT NOT TO EXCEED \$264,530.00 VIA AN EXISTING CONTRACT WITH  
12 CLAY COUNTY, FLORIDA, BID NO. 08/09-3; AUTHORIZING THE MAYOR TO  
13 EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

14 **Mayor Levy** opened the public hearing.

15 **Staff Presentation: Parks Director Mike Kelly.**

16 **Public Comment:** None.

17 **Mayor Levy** closed the public hearing.

18 **Councilmember Jablin** made a motion for approval of Resolution 9, 2011.

19 **Councilmember Tinsley** seconded.

20 Motion passed 4-0.

21 **Vice Mayor Premuroso** returned to the dais

22 **XI. ITEMS FOR COUNCIL ACTION/DISCUSSION**

23 a. APPROVE THE CALENDAR OF REGULARLY SCHEDULED COUNCIL MEETINGS  
24 THROUGH DECEMBER, 2011 – EXCLUDING SEPTEMBER BUDGET HEARINGS –  
25 DATES TO BE DETERMINED.

26 **Councilmember Jablin** made a motion for approval.

27 **Councilmember Russo** seconded.

28 Motion passed 5-0.

29 **XII. CITY ATTORNEY REPORT**

30 **Corbett & White President Trela J. White** sitting for **City Attorney R. Max Lohman** had no  
31 report.

1 **XIII. ADJOURNMENT**

2 **Councilmember Jablin** made a motion to adjourn.

3 **Councilmember Russo** seconded.

4 Motion passed 5-0.

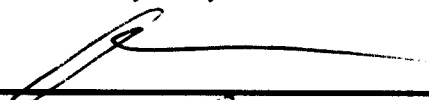
5 The meeting adjourned at 8:19 p.m.


6 A special meeting of the City Council will be held March 22, 2011 at 5:30 p.m.

7 The next regularly scheduled City Council meeting will be held April 7, 2011.


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9 **APPROVED:**

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14 David Levy, Mayor


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18 Robert G. Premuroso, Vice Mayor

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22 Joseph R. Russo, Councilmember

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26 Eric Jablin, Councilmember

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30 Marcie Tinsley, Councilmember

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37 **ATTEST:**

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41 Patricia Snider, CMC  
42 City Clerk

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47 **Note:** These minutes are prepared in compliance with 286.011 F.S. and are not verbatim transcripts of the  
48 meeting. A verbatim audio record is available from the Office of the City Clerk.  
49 All referenced attachments are on file in the Office of the City Clerk.